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MAIER & MAIER, PLLC 1000 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER LEWIS-TAYLOR, DAYTON A.	
			ART UNIT 2182	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/567,335	<b>Applicant(s)</b> BUETTNER, INGO	
	<b>Examiner</b> DAYTON LEWIS-TAYLOR	<b>Art Unit</b> 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14, 18 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-17 and 20-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/4/2010</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. Claims 1 – 36 are pending.

### *Response to Arguments*

2. Applicant's arguments, filed 2/4/2010, with respect to the rejection(s) of claim(s) 1-36 under 35 U.S.C. 102(b) as being anticipated by Mooney have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Dirie.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-7, 10, 25-27, 30-32 and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney et al. (5,610,981) hereinafter referred to as Mooney in view of **As per claim 1**, Mooney discloses a monitoring device for a data processing system in a network comprising network connections, for protecting data storage and/or data transmission means of the data processing system against unauthorized access ***(Mooney – col. 10, lines 52-60: “Bus address monitor ‘930’ monitors system bus ‘292’ references to peripheral devices such as serial and parallel ports, networks, and A or B floppy disks. Bus address monitor ‘930’ monitors normal BIOS***

**references during initialization, such as reset, warm, or power-up boot, and monitors to detect attempted prohibited accesses to denied peripheral devices as defined on card '115' during the authorization visit.").**

Mooney does not expressly disclose the data processing system comprising:

a disabling circuit for interfaces, wherein only a single data storage means is connected to a bootable interface of the data processing system as a mainboot device that can boot freely; other bootable interfaces are disabled at first; and at least one of the interfaces disabled by the disabling circuit is enabled from a data processing point located at a distance in the network via the network connection after authorization of an authorized person at the data processing point.

Dirie discloses the data processing system comprising:

a disabling circuit for interfaces (**Fig. 2: Enable/ Disable Logic within BIOS in ROM 119.**), wherein only a single data storage means is connected to a bootable interface of the data processing system as a mainboot device that can boot freely (**Fig. 3: Block 310 – "Enable Floppy Drive and Attempt to Boot From It"**);

other bootable interfaces are disabled at first (**Fig. 3: Block 308 - "Disable Hard Drives and Other Bootable Devices"**); and

at least one of the interfaces disabled by the disabling circuit is enabled (**col. 2, lines 1-4: "the computer system is re-enabled by incrementing the security timer when an extension of time is authorized and the computer system is then initialized for operation"**) from a data processing point located at a distance in the network via the network connection (**col. 7, line 66 – col. 8, line 2: "Notification may also be sent to the provider of computer system 100 when computer system 100 and the provider's computer system is connected to a common network"**) after

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authorization of an authorized person at the data processing point (**col. 8, lines 4-12: "a display may be presented to the user to notify him or her that computer system 100 can no longer be used unless authorization is renewed by the provider"**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Dirie's BIOS based method to disable and re-enable computers in Mooney's monitoring device to improve the apparatus with reasonable expectation that this would result in providers of computer systems prohibiting use of the computer systems once the authorized amount of time has expired , and thus encouraging payment of lease fees or other agreed performance (Dirie - Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney and Dirie to obtain the invention as specified in claim 1.

**As per claim 2**, Mooney and Dirie disclose the monitoring device of claim 1, wherein the disabling circuit disables the bootable interfaces (**note the rejection of claim 1**) via a CMOS (**Mooney – col. 4, line 54: "printed circuit board technology"**).

**As per claim 3**, Mooney and Dirie disclose the monitoring device of claim 1, wherein the disabling circuit (**note the rejection of claim 1**) is integrated on the motherboard (**Mooney - col. 6, lines 14-15: "integrated into the motherboard of computer '100'"**).

**As per claim 4**, Mooney and Dirie disclose the monitoring device of claim 1, wherein the disabling circuit is arranged on a separate card with a separate interface, preferably

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a PCI card (**Mooney – col. 4, line 63: "An IC card '115'" and col. 4, lines 46-47: "a card reader interface"**).

**As per claim 5**, Mooney and Dirie disclose the monitoring device of claim 1, wherein the disabling circuit includes a microcontroller (**Mooney – col. 5, lines 10-12:**

**"Microprocessor '116' is powered by circuit '135', and controls system functions via connections to the system data bus '125'"**).

**As per claim 6**, Mooney and Dirie disclose the monitoring device of claim 1, wherein the disabling circuit is controlled by the data processing point through a receiving line of the network connection (**Mooney – Fig. 3: "Processor Z8 '220' connected to Data Steering Network '240' via bus '222'"**).

**As per claim 7**, Mooney and Dirie disclose the monitoring device of claim 1, wherein the disabling circuit comprises a reset line, preferably a power reset (**Mooney – Abstract: "freezing the system bus, and requiring the user to reset the computer"**).

**As per claim 10**, Mooney and Dirie disclose the monitoring device of claim 1, wherein at least one plug-in connection for a keyboard and/or a universal serial port of the data processing system is provided with an alarm circuit, preferably a socket switch, which is preferably connected to the network connection and is adapted to transmit an alarm signal via the network connection (**Mooney – Fig. 1A & 1B: Keyboard '101' plugged into computer**).

**As per claim 25**, note the rejection of claim 1 above. The Instant Claim recites substantially same limitations as the above-rejected and is therefore rejected under same prior-art teachings.

**As per claim 26**, Mooney and Dirie disclose the method of claim 25, wherein the disabling of the interfaces (*Dirie - col. 8, lines 4-12: " a display may be presented to the user to notify him or her that computer system 100 can no longer be used unless authorization is renewed by the provider"*) is controlled by the data processing point via a receiving line of the network connection (*Dirie - col. 7, line 66 – col. 8, line 2: "Notification may also be sent to the provider of computer system 100 when computer system 100 and the provider's computer system is connected to a common network"*) and a disabling circuit (*Dirie - Fig. 2: Enable/ Disable Logic within BIOS in ROM 119.*).

**As per claim 27**, Mooney and Dirie disclose the method of claim 25, wherein the disabling of the bootable interfaces is restored to the disabled state after the data processing system has been switched off and/or after a user has logged off at the data processing system (*Mooney – col. 9, lines 22-23: "Freeze the computer system bus, requiring a "cold boot," (power off and then on or "reset")"*).

**As per claim 30**, Mooney and Dirie disclose the method of claim 28, wherein a mechanical destruction of at least one access-protected data carrier of the data processing system is caused by an alarm triggered (*Mooney - col. 16, lines 50-52:*

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***"triggering destruct package '213' designed to physically destroy the hard drive '113' and RAM '260'").***

**As per claim 31**, Mooney and Dirie disclose the monitoring device of claim 2, wherein the disabling circuit is integrated on the motherboard (***Mooney - col. 6, lines 14-15: "integrated into the motherboard of computer '100'"***).

**As per claim 32**, Mooney and Dirie disclose the monitoring device of claim 2, wherein the disabling circuit is arranged on a separate card with a separate interface, preferably a PCI card (***Mooney – col. 4, line 63: "An IC card '115'" and col. 4, lines 46-47: "a card reader interface"***).

**As per claim 35**, Mooney and Dirie disclose the method of claim 26, wherein the disabling of the bootable interfaces (10, 12, 14) is restored to the disabled state after the data processing system (2) has been switched off and/or after a user has logged off at the data processing system (2) (***Mooney – col. 9, lines 22-23: "Freeze the computer system bus, requiring a "cold boot," (power off and then on or "reset")"***).

5. **Claims 8-9**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, as applied above in claim 1, and further in view of McClung et al. (4,951,249) hereinafter referred to as McClung.

**As per claim 8**, Mooney and Dirie disclose the monitoring device of claim 1, and the bootable interface (***Dirie - Fig. 3: Block 310 – "Enable Floppy Drive and Attempt to Boot From It"***).



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Mooney and Dirie do not expressly disclose that monitoring device has an alarm circuit connected to at least one bootable interface, said alarm circuit preferably being connected to the network connection being adapted to transmit an alarm signal via the network connection and, further, preferably being connected to a free mass port of the interface.

McClung discloses an alarm circuit connected wherein that an alarm circuit is connected to at least one bootable interface (**McClung – Fig. 1: Alarm circuits ‘119’ connected to ROM ‘115’ and col. 4, lines 48-49: “The computer system is hard wired to transfer program execution to the BOOTSTRAP code contained in the computer system boot ROM.”**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to McClung's alarm circuit in Mooney and Dirie's monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could sound an alarm if the computer is tilted or a screw is loosened or removed on the housing (McClung - col. 2, lines 61-68).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie and McClung to obtain the invention as specified in claim 8.

**As per claim 9**, Mooney and Dirie disclose the monitoring device of claim 1 and a housing of the data processing system (**Mooney - Fig. 1A: Housing of a computer**).

Mooney and Dirie do not expressly disclose that the monitor device has the housing of the data processing system provided with an alarm circuit, preferably a key

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switch, which is preferably connected to the network connection and is adapted to transmit an alarm signal via the network connection.

McClung discloses a housing of the data processing system is provided with an alarm circuit (**McClung – col. 2, lines 61-62: “an alarm for a computer system enclosed in a housing”**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to McClung's alarm circuit in Mooney and Dirie's monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could sound an alarm if the computer is tilted or a screw is loosened or removed on the housing (McClung - col. 2, lines 61-68).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie and McClung to obtain the invention as specified in claim 9.

6. **Claims 11, 20-21 and 28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, as applied above in claim 1, and further view of Svensson et al. (5,926,091) hereinafter referred to as Svensson.

**As per claim 11**, Mooney and Dirie disclose the monitoring device of claim 1 and a network connection (**Dirie - col. 7, line 66 – col. 8, line 2: “Notification may also be sent to the provider of computer system 100 when computer system 100 and the provider's computer system is connected to a common network”**).

Mooney and Dirie do not expressly disclose that the monitoring device has a network connection protected against unauthorized access, such as pulling off one or a plurality of terminal pins, for example, by means of an alarm circuit.

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Svensson discloses a network connection is protected against unauthorized access, such as pulling off one or a plurality of terminal pins, for example, by means of an alarm circuit (**Svensson – col. 4, lines 43-46: ‘an alarm is activated from the alarm unit when one of cables ‘8’ connecting the respective personal computer to the computer network hub is removed’**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Svensson’s network connection protected against unauthorized access in Mooney and Dirie’s monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use an alarm device to make it possible to detect whether the network is intact or whether the loading in the network has decreased, which would indicate a failure somewhere in the network (Svensson - col. 1, lines 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie and Svensson to obtain the invention as specified in claim 11.

**As per claim 20**, Mooney and Dirie disclose the monitoring device of claim 1.

Mooney and Dirie do not expressly disclose that the monitoring device wherein one or a plurality of the alarm circuits is connected to a separate line strand of the network connection, preferably to individual lines, respectively.

Svensson discloses one or a plurality of the alarm circuits is connected to a separate line strand of the network connection (**Svensson - col. 6, lines 12-14: “A special alarm unit ‘4 is then coupled, e.g., via cable ‘32’, between the network**

***connection of the computer unit and its network board '30', as illustrated in FIG. 1.***”).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Svensson's alarm circuit connected to a network connection in Mooney and Dirie's monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use an alarm device to detect whether the network is intact or whether the loading in the network has decreased, which would indicate a failure somewhere in the network (Svensson - col. 1, lines 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie and Svensson to obtain the invention as specified in claim 20.

**As per claim 21**, Mooney, Dirie and Svensson disclose the monitoring device of claim 20, and an alarm detection means is connected, remote from the data processing system, to the individual lines of the separate line strand of the network connection (***Svensson – Fig. 7: Alarm Center '1' is connected, remote from the PC '13a', to the individual line coupled to Hub '3' to individual line toward Network Board '30'.***).

**As per claim 28**, Mooney and Dirie disclose the method of claim 25.

Mooney and Dirie do not expressly disclose an alarm is triggered at a remote alarm detection means by removal of a data storage means and/or of a data transmission means of the data processing system, as well as by opening a housing of the data processing system.

Svensson discloses an alarm is triggered at a remote alarm detection (**Svensson – Fig. 7: Alarm Center ‘1’**) means by removal of a data storage means and/or of a data transmission means of the data processing system (**Svensson – col. 4, lines 43-46: ‘an alarm is activated from the alarm unit when one of cables ‘8’ connecting the respective personal computer to the computer network hub is removed’**), as well as by opening a housing of the data processing system (**Svensson – col. 2, lines 50-53: “the first alarm unit arranged in the computer unit is included in an alarm circuit, which is arranged to be affected on unauthorized opening of the case, whereby the alarm unit is arranged to notify the alarm center”**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Svensson’s alarm circuit connected to a network connection in Mooney and Dirie’s monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use an alarm device to detect whether the network is intact or whether the loading in the network has decreased, which would indicate a failure somewhere in the network (Svensson - col. 1, lines 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie and Svensson to obtain the invention as specified in claim 28.

7. **Claims 12,** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, further in view of McClung, as applied above in claim 8, and further in view of Svensson.

**As per claim 12,** note that Mooney, Dirie and McClung disclose the monitoring device of claim 8.

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Mooney, Dirie and McClung do not expressly disclose that the monitoring device wherein one or a plurality of the alarm circuits is connected to a transmission/receiving line strand of the network connection, preferably to individual lines, respectively.

Svensson discloses one or a plurality of the alarm circuits is connected to a transmission/receiving line strand of the network connection (***Svensson - col. 6, lines 12-14: "A special alarm unit '4 is then coupled, e.g., via cable '32', between the network connection of the computer unit and its network board '30', as illustrated in FIG. 1."***).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Svensson's alarm circuit connected to a network connection in Mooney, Dirie and McClung's monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use an alarm device to detect whether the network is intact or whether the loading in the network has decreased, which would indicate a failure somewhere in the network (Svensson - col. 1, lines 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung and Svensson to obtain the invention as specified in claim 12.

8. **Claim 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, further in view of McClung, further in view of Svensson, as applied to claim 12, and further in view of Copeland (4,675,654) hereinafter referred to as Copeland. **As per claim 13**, note that Mooney, Dirie, McClung and Svensson disclose the monitoring device of claim 12.

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Mooney, Dirie, McClung and Svensson do not expressly disclose that the monitoring device has alarm circuits connected in parallel through resistors and are combined to one line.

Copeland discloses alarm circuits connected in parallel through resistors and are combined to one line (***Copeland – Fig. 1, col. 4, lines 25-26: “Alarm circuits ‘16a-h’ are all identical alarm circuits connected in parallel” through resistors ‘38a-h’ combined to line ‘24’.***

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Copeland’s parallel alarm circuits in Mooney, Dirie, McClung and Svensson's monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use parallel circuits to prevent electrical feedback in the system from causing false alarm indications (Copeland - Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung, Svensson and Copeland to obtain the invention as specified in claim 13.

9. **Claims 15-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, further in view of McClung, as applied above in claim 8, and further in view of Bloom et al. (6,194,979) hereinafter referred to as Bloom, and further in view of Trucchi et al. (6,081,193) hereinafter referred to as Trucchi.

**As per claim 15**, note that Mooney, Dirie and McClung disclose the monitoring device of claim 8, and the network connection (***Mooney – Fig. 3: Data Steering Network ‘240’.***

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Mooney, Dirie and McClung do not expressly disclose the monitoring device with at least two capacitors provided in individual lines of the network connection, respectively.

Bloom discloses at least two capacitors (***Bloom - col. 8, lines 47-50: "As shown in Fig. 9, the capacitors and resistors are arranged in what is know of in the electrical art as a "Y" configuration or star configuration."***).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Bloom's two capacitors in Mooney, Dirie and McClung's monitoring device to improve the apparatus with reasonable expectation that this would result in a monitoring device that uses at least two capacitors to regulate power due to the sudden demand for current when an alarm circuit is switching between states.

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung and Bloom to obtain the invention as specified in claim 15.

Mooney, Dirie, McClung and Bloom do not expressly disclose the monitoring device with individual lines of the network connection.

Trucchi discloses individual lines (***Trucchi - Fig. 1: Alarm circuits 10a, 10b, 10c are connected to signal transmission lines 14a, 14b, 14c***), respectively.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Trucchi's individual lines in Mooney, Dirie, McClung and Bloom's monitoring device having at least two capacitors provided to improve the apparatus with reasonable expectation that this would result in a monitoring device that uses individual lines so that in case of a malfunction of one alarm circuit the rest of alarm circuits would be able to transmit a signal through the network connection.



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Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung, Bloom and Trucchi to obtain the invention as specified in claim 15.

**As per claim 16**, note that Mooney, Dirie, McClung, Bloom and Trucchi disclose the monitoring device of claim 15, and the alarm circuits are connected to the individual lines (*Trucchi - Fig. 1: Alarm circuits 10a, 10b, 10c are connected to signal transmission lines 14a, 14b, 14c*) of the network connection (*Mooney – Fig. 3: Data Steering Network '240'*) by a star wiring between the capacitors (*Bloom - col. 8, lines 47-50: "As shown in Fig. 9, the capacitors and resistors are arranged in what is know of in the electrical art as a "Y" configuration or star configuration."*).

10. **Claims 17 and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, further in view of McClung, in view of Bloom, in view of Trucchi, as applied above in claim 15, and further in view of Svensson.

**As per claim 17**, note that Mooney, Dirie, McClung, Bloom and Trucchi disclose the monitoring device of claim 15 and a star wiring between the capacitors (50) (*Bloom - col. 8, lines 47-50: "As shown in Fig. 9, the capacitors and resistors are arranged in what is know of in the electrical art as a "Y" configuration or star configuration."*).

Mooney, Dirie, McClung, Bloom and Trucchi do not expressly disclose the monitoring device with the alarm detection means is connected, remote from the data processing system, to the individual lines of the network connection by a star wiring between the capacitors.

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Svensson discloses an alarm detection means is connected, remote from the data processing system, to the individual lines of the network connection (**Svensson – Fig. 7: Alarm Center ‘1’ is connected, remote from the PC ‘13a’, to the individual line coupled to Hub ‘3’ to individual line toward Network Board ‘30’**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Svensson’s alarm detection connected to a network connection in Mooney, Dirie, McClung, Bloom and Trucchi's monitoring device with a star wiring between the capacitors to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use an alarm device to detect whether the network is intact or whether the loading in the network has decreased, which would indicate a failure somewhere in the network (Svensson - col. 1, lines 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung, Bloom, Trucchi and Svensson to obtain the invention as specified in claim 17.

**As per claim 33**, note that Mooney, Dirie, McClung, Bloom and Trucchi disclose the monitoring device of claim 16 and a star wiring between the capacitors (**Bloom - col. 8, lines 47-50: “As shown in Fig. 9, the capacitors and resistors are arranged in what is know of in the electrical art as a "Y" configuration or star configuration.”**).

Mooney, Dirie, McClung, Bloom and Trucchi do not expressly disclose the monitoring device with the alarm detection means is connected, remote from the data processing system, to the individual lines of the network connection by a star wiring between the capacitors.

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Svensson discloses an alarm detection means is connected, remote from the data processing system, to the individual lines of the network connection (**Svensson – Fig. 7: Alarm Center ‘1’ is connected, remote from the PC ‘13a’, to the individual line coupled to Hub ‘3’ to individual line toward Network Board ‘30’**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Svensson’s alarm detection connected to a network connection in Mooney, Dirie, McClung, Bloom and Trucchi’s monitoring device with a star wiring between the capacitors to improve the apparatus with reasonable expectation that this would result in a monitoring device that could use an alarm device to detect whether the network is intact or whether the loading in the network has decreased, which would indicate a failure somewhere in the network (Svensson - col. 1, lines 44-47).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung, Bloom, Trucchi and Svensson to obtain the invention as specified in claim 33.

11. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, in view of Svensson, and further in view of Lam et al. (4,287,513) hereinafter referred to as Lam.

**As per claim 22**, note that Mooney, Dirie and Svensson disclose the monitoring device of claim 21, and the network connection (**Svensson – Fig. 7: Network Board ‘30’**).

Mooney, Dirie and Svensson do not expressly disclose the alarm detection is effected by monitoring a rest current applied to the alarm circuits.

Lam discloses the alarm detection is effected by monitoring a rest current applied to the alarm circuits (**Lam – col. 7, lines 54-58: “When the alarm circuit is in its**

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***quiescent state, the pulses appearing at the input '801' to the detection circuit '80' are large enough to raise the potential of the output '803' to a level above the potential at the node '822', thereby rendering the transistor '820' non-conductive.'").***

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Lam's alarm detection monitoring a rest current in Mooney, Dirie and Svensson's monitoring device to improve the apparatus with reasonable expectation that this would result in the alarm not activating because the transistor disables the tone generator circuit due to no current flow (Lam - col. 7, lines 59-63).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, Svensson and Lam to obtain the invention as specified in claim 22.

12. **Claim 23** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, in view of McClung, and further in view of Glenn (5,406,261) hereinafter referred to as Glenn.

**As per claim 23**, note that Mooney, Dirie and McClung disclose the monitoring device of claim 8.

Mooney, Dirie and McClung do not expressly disclose an alarm triggered causes a device, e.g. a bolt gun, to mechanically destroy at least one access-protected data carrier of the data processing system.

Glenn discloses an alarm triggered causes a device, e.g. a bolt gun, to mechanically destroy at least one access-protected data carrier of the data processing

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system (**Glenn - col. 9, lines, 41-42: “a microexplosive device for destroying the computer system memory storage device”**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Glenn's microexplosive device in Mooney and McClung's monitoring device having a device to mechanically destroy a data carrier to improve the apparatus with reasonable expectation that this would result in an easily operable means to prevent theft and unauthorized operation or handling of the computer system and access of data contained in it.

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung and Glenn to obtain the invention as specified in claim 23.

**As per claim 24**, note that Mooney, Dirie and McClung disclose the monitoring device of claim 8.

Mooney, Dirie and McClung do not expressly disclose a circuit for triggering the alarm manually, e.g. with a manual switch, is provided at least one of the alarm circuits.

Glenn discloses a circuit for triggering the alarm manually, e.g. with a manual switch, is provided at least one of the alarm circuits (**Glenn – col. 10, lines 17-19: “a wireless remote control transmitter and receiver system having a plurality of coded signals for controlling said power switch and alarm states”**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Glenn's manual switch in Mooney, Dirie and McClung's monitoring device to trigger the alarm to improve the apparatus with reasonable expectation that

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this would result in an easily operable means to prevent theft and unauthorized operation or handling of the computer system and access of data contained in it.

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung and Glenn to obtain the invention as specified in claim 24.

13. **Claims 29 and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, in view of Svensson, and further in view of Glenn.

**As per claim 29**, note that Mooney, Dirie and Svensson disclose the method of claim 28.

Mooney, Dirie and Svensson do not expressly disclose the alarm can be triggered manually, e.g. by means of a switch.

Glenn discloses the alarm can be triggered manually, e.g. by means of a switch (***Glenn – col. 10, lines 17-19: “a wireless remote control transmitter and receiver system having a plurality of coded signals for controlling said power switch and alarm states”***).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Glenn’s manual switch in Mooney, Dirie and Svensson's monitoring device to trigger the alarm to improve the apparatus with reasonable expectation that this would result in an easily operable means to prevent theft and unauthorized operation or handling of the computer system and access of data contained in it.

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, Svensson and Glenn to obtain the invention as specified in claim 29.

**As per claim 36**, Mooney, Dirie, Svensson and Glenn disclose the method of claim 29, wherein a mechanical destruction of at least one access-protected data carrier of the data processing system (***Glenn - col. 9, lines, 41-42: "a microexplosive device for destroying the computer system memory storage device"***) is caused by an alarm triggered (***Glenn – col. 2, line 49: "enabling an alarm"***).

14. **Claim 34** is rejected under 35 U.S.C. 103(a) as being unpatentable over Mooney in view of Dirie, in view of McClung, in view of Bloom, in view of Trucchi, in view of Svensson, and further in view of Svensson, and further in view of Lam.

**As per claim 34**, note Mooney, Dirie, McClung, Bloom, Trucchi and Svensson disclose the monitoring device of claim 17 and the network connection (***Svensson – Fig. 7: Network Board '30'***).

Mooney, Dirie, McClung, Bloom, Trucchi and Svensson do not expressly disclose the alarm detection is effected by monitoring a rest current applied to the alarm circuits.

Lam discloses the alarm detection is effected by monitoring a rest current applied to the alarm circuits (***Lam – col. 7, lines 54-58: "When the alarm circuit is in its quiescent state, the pulses appearing at the input '801' to the detection circuit '80' are large enough to raise the potential of the output '803' to a level above the potential at the node '822', thereby rendering the transistor '820' non-conductive."***).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to Lam's alarm detection monitoring a rest current in Mooney, Dirie, McClung, Bloom, Trucchi and Svensson's monitoring device to improve the apparatus

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with reasonable expectation that this would result in the alarm not activating because the transistor disables the tone generator circuit due to no current flow (Lam - col. 7, lines 59-63).

Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Mooney, Dirie, McClung, Bloom, Trucchi, Svensson and Lam to obtain the invention as specified in claim 34.

### ***Allowable Subject Matter***

15. **Claims 14, 18 and 19** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

16. Claims 1-13, 15-17 and 20-36 are rejected.

The examiner requests, in response to this office action, support be shown for language added to any original claims on amendment and any new claims. That is, indicate support for newly added claim language by specifically pointing to page(s) and line number(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application. When responding to this office action, applicant is advised to clearly point out the patentable novelty which he or she thinks the claims present, in



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view of the state of art disclosed by the references cited or the objections made. He or she must also show how the amendments avoid such references or objections. See 37 C.F.R. § 1.111(c).

In amending in reply to a rejection of claims in an application or patent under reexamination, the applicant or patent owner must clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. The applicant or patent owner must also show how the amendments avoid such references or objections.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAYTON LEWIS-TAYLOR whose telephone number is (571)270-7754. The examiner can normally be reached on Monday through Thursday, 8AM TO 4PM, EASTERN TIME.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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/DAYTON LEWIS-TAYLOR/  
Examiner, Art Unit 2182  
5/6/2010

/Tariq Hafiz/  
Supervisory Patent Examiner, Art Unit 2182